PTO/SB/21 (04-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aUnder De Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/870,012 Filing Date TRANSMITTAL May 29, 2001 First Named Inventor **FORM** Chaitan KHOSLA Art Unit 1652 (to be used for all correspondence after initial filing) **Examiner Name** K. Kerr Attorney Docket Number Total Number of Pages in This Submission 10 300622000212 ENCLOSURES (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to TC Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final **Proprietary Information** Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please **Extension of Time Request** Terminal Disclaimer Identify below): Form PTO-1449 (3 pages + **Express Abandonment Request** Request for Refund duplicate) 66 References Information Disclosure Statement (3 CD, Number of CD(s) Return Receipt Postcard pages) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application **CUSTOMER NO. 25225** Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm **MORRISON & FOERSTER LLP** Kate H. Murashige - 29,959 Individual name Signature

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date Signature: Khea Cimes

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November *****



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Chaitan KHOSLA et al.

Serial No.: 09/870,012

Filing Date: May 29, 2001

For: METHODS TO PREPARE

ANTIBIOTICS USING MUTANT SACCHAROPOLYSPORA ERYTHRAEA HOST CELLS SUPPLIED WITH MACROLACTONES (AS AMENDED) Examiner: K. Kerr, Ph.D.

Group Art Unit: 1652

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are submitted herewith. The Examiner is requested to make these documents of record in the application.

	This I	nformation Disclosure Statement is submitted:
	With t	he application; accordingly, no fee or separate requirements are required.
\boxtimes	Before	the mailing of a first Office Action after the filing of a Request for Continued
	Exami	ination under § 1.114. However, if applicable, a certification under 37 C.F.R. §
	1.97(e)(1) has been provided.
	Withir	n three months of the application filing date or before mailing of a first Office
	Action	on the merits; accordingly, no fee or separate requirements are required.
	Howe	ver, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
	After	receipt of a first Office Action on the merits but before mailing of a final Office
	Action	or Notice of Allowance.
		A fee is required. A check in the amount of is enclosed.
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached
		to this submission in duplicate.
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee
		is believed to be due.
	After	mailing of a final Office Action or Notice of Allowance, but before payment of the
	issue f	fee.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the
		amount of is enclosed.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal
		form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 300622000212. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November, 2004

Respectfully submitted,

Registration No. 29,959

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Form PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

Docket Number 300622000212	Application Number 09/870,012
Applicant	
Chaitan	KHOSLA et al.
Filing Date May 29, 2001	Group Art Unit 1652
Mailing Date November 2, 2004	

(Use several sheets if necessary)

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	21.	01/1998	WO 98/01546	WIPO				

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

PTO/SB/ 08 (2-92) sd- 226555 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(Use several sheets if necessary)					Filing Date May 29, 2001 Group Art Unit 1652					
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

PTO/SB/ 08 (2-92) sd- 226555

Form PTO-1449			Docket Number 300622000212	Application Number 09/870,012				
INFOR	RMAT	ION DISCLOSURE CITATION	Applicant					
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